

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, JANUARY 17, 2013**

PRESENT: Frank A. de la Fe, Hunter Mill District
Jay P. Donahue, Dranesville District
Earl L. Flanagan, Mount Vernon District
Janet R. Hall, Mason District
James R. Hart, Commissioner At-Large
Janyce N. Hedetniemi, Commissioner At-Large
Ellen J. Hurley, Braddock District
Kenneth A. Lawrence, Providence District
John L. Litzenberger, Jr., Sully District
James T. Migliaccio, Lee District
Peter F. Murphy, Springfield District
Timothy J. Sargeant, Commissioner At-Large

ABSENT: None.

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The meeting was called to order at 8:24 p.m., by Chairman Peter F. Murphy, in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION'S PERSONNEL AND BUDGET COMMITTEE MEMBERS CERTIFY THAT TO THE BEST OF THEIR KNOWLEDGE ONLY THE PUBLIC BUSINESS MATTER LAWFULLY EXEMPTED FROM THE OPEN MEETING REQUIREMENTS PRESCRIBED BY THE *VIRGINIA FREEDOM OF INFORMATION ACT* AND ONLY THE MATTER IDENTIFIED IN THE MOTION TO CONVENE CLOSED SESSION WAS HEARD, DISCUSSED, OR CONSIDERED DURING THE CLOSED SESSION HELD ON WEDNESDAY, JANUARY 16, 2013.

Commissioner Hall seconded the motion which carried unanimously.

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In accordance with the Commission Bylaws, Chairman Murphy announced that Planning Commission Officers would be elected at the third Planning Commission meeting of the year on Thursday, January 24, 2013.

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Commissioner Hall announced that the minutes of Commission meetings held during September 2012 were available for review online and encouraged Commissioners to submit any necessary changes to the Commission Office staff. She added that she intended to move approval of these minutes at the meeting on Thursday, February 7, 2013.

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Commissioner Litzenberger MOVED THAT THE PLANNING COMMISSION INDEFINITELY DEFER THE JOINT PUBLIC HEARING FOR 2232-Y12-5 AND SE 2012-SU-015, VIRGINIA ELECTRIC POWER COMPANY d/b/a DOMINION VIRGINIA POWER, UNTIL ISSUES WITH THE AFFIDAVIT WERE RESOLVED.

Commissioner Flanagan seconded the motion which carried by a vote of 11-0-1 with Commissioner Sargeant abstaining.

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FSA-M96-63-1 – SPRINT, 5600 Columbia Pike
FSA-B01-35-3 – SPRINT, 9537 Helenwood Drive (Brandywine Swim Club)
FSA-V11-23-1 – SPRINT PCS, 2709 Popkins Lane (Bryant Administrative Center)
FSA-L97-12-3 – SPRINT VISION, 7936 Telegraph Road (Board of Supervisors-Owned Property)

Chairman Murphy MOVED APPROVAL OF THE CONSENT AGENDA ITEMS.

Without objection, the motion carried unanimously.

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S11-CW-6CP – COMPREHENSIVE PLAN AMENDMENT (EDITORIAL UPDATES)
(Decision Only) (The public hearing on this application was held on January 10, 2013. A complete verbatim transcript of the decision made is in the date file.)

At the request of Commissioner Hart, Jennifer Lai, Planning Division, Department of Planning and Zoning, confirmed that the document containing additional comments and suggested modifications to the Amendment dated January 17, 2013, was identical to the document dated January 16, 2013, except for the spelling of "Vale School" on page 11, which had been corrected.

Subsequently, Commissioner Hart MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS ADOPT THE STAFF RECOMMENDATION FOR PLAN AMENDMENT S11-CW-6CP, AS ARTICULATED ON PAGES 4 THROUGH 111 OF THE STAFF REPORT DATED DECEMBER 20, 2012, AND THE REVISIONS SHOWN IN THE DOCUMENT TITLED "ADDITIONAL COMMENTS ON PLAN AMENDMENT S11-CW-6CP (EDITORIAL UPDATES)," DATED JANUARY 17, 2013.

Commissioner Sargeant seconded the motion which carried by a vote of 11-0-1 with Commissioner Murphy abstaining.

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ORDER OF THE AGENDA

Secretary Hall established the following order of the agenda:

1. AA-83-S-004-02 – NADINE VAZQUEZ, JEFF WATERS, JEREMY VAZQUEZ, LEE J. VAZQUEZ IRREVOCABLE TRUST (Springfield District)
2. PCA 92-M-038 AND SE 2008-MA-019 – PAOLOZZI INVESTMENTS, INC.
3. CSPA 86-C-029-08 – DULLES VIEW PROPERTY B1, LLC AND DULLES CORNER OFFICE II, LLC (Dranesville District)
4. CSP 2005-SP-019 – WPPI FAIRFAX II, LLC (Braddock District)
5. SEA 94-P-040-02 – GANNETT COMPANY, INC.

This order was accepted without objection.

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The first public hearing was in the Springfield District; therefore, Chairman Murphy relinquished the Chair to Secretary Hall.

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AA-83-S-004-02 – NADINE VAZQUEZ, JEFF WATERS, JEREMY VAZQUEZ, LEE J. VAZQUEZ IRREVOCABLE TRUST – Appl. authorized by Chapter 114 (County Code), effective June 30, 1983 to permit renewal and change in ownership and conversion of a previously-approved local agricultural and forestall district to a Statewide District. Located at 6200 and 6390 Newman Rd., Fairfax, 22030, on approx. 205.14 ac. of land zoned R-C and WS. Tax Map 66-4 ((1)) 21Z, 75-2 ((1)) 5Z and 19Z. SPRINGFIELD DISTRICT. PUBLIC HEARING.

Commissioner Murphy asked that Secretary Hall ascertain whether there were any speakers for this application. There being none, he asked that presentations by staff and the applicant be waived, and the public hearing closed. No objections were expressed; therefore, Secretary Hall closed the public hearing and recognized Commissioner Murphy for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner Murphy MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE AN AMENDMENT TO APPENDIX E OF THE FAIRFAX COUNTY CODE TO ESTABLISH THE WHITEHALL STATEWIDE AGRICULTURAL AND FORESTAL DISTRICT, SUBJECT TO THE ORDINANCE PROVISIONS LISTED IN APPENDIX 1 OF THE STAFF REPORT DATED JANUARY 3, 2013.

Commissioner Hart seconded the motion which carried unanimously.

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At the conclusion of the case, Chairman Murphy resumed the Chair.

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PCA 92-M-038 – PAOLOZZI INVESTMENTS, INC. – Appl. to amend the proffers for RZ 92-M-038 previously approved for commercial development and site modifications to permit a car wash with an overall Floor Area Ratio (FAR) of 0.16. Located on the S. side of Columbia Pk., approx. 300 ft. N. of Lacy Blvd. on approx. 1.08 ac. of land zoned C-5, CRD, HC, and SC. Comp. Plan Rec: Retail & Other. Tax Map 61-2 ((1)) 117. (Concurrent with SE 2008-MA-019.) MASON DISTRICT.

SE 2008-MA-019 – PAOLOZZI INVESTMENTS, INC. – Appl. under Sects. 4-504 and 9-622 of the Zoning Ordinance to permit a car wash, modifications, and waivers in a Commercial Revitalization District (CRD). Located at 5901 Columbia Pk., Falls Church, 22041, on approx. 1.08 ac. of land zoned C-5, CRD, HC, and SC. Tax Map 61-2 ((1)) 117. (Concurrent with PCA 92-M-038.) MASON DISTRICT. JOINT PUBLIC HEARING.

Keith Martin, Esquire, Tramonte, Yeonas, Roberts & Martin, PLLC, reaffirmed the affidavit dated September 18, 2012. Commissioner Sargeant disclosed that as an employee of Dominion

Virginia Power, he would recuse himself from this public hearing because the subject property was located adjacent to a Dominion substation and negotiations with the applicant could ensue.

Commissioner Hall asked that Chairman Murphy ascertain whether there were any speakers for these applications. There being none, she asked that presentations by staff and the applicant be waived, and the public hearing closed. No objections were expressed; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Hall for action on these cases. (A verbatim excerpt is in the date file.)

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Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE PCA 92-M-038, SUBJECT TO THE EXECUTION OF PROFFERS DATED JANUARY 15, 2013.

Commissioners Hart and Litzenberger seconded the motion which carried unanimously with Commissioner Sargeant having recused himself.

Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE SE 2008-MA-019, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED DECEMBER 18, 2012.

Commissioners Hart and Litzenberger seconded the motion which carried unanimously with Commissioner Sargeant having recused himself.

Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE A MODIFICATION OF SECTION 13-301 OF THE ZONING ORDINANCE, FOR TRANSITIONAL SCREENING FROM THE ADJACENT RESIDENTIAL PROPERTIES TO THE SOUTH AND WEST, IN FAVOR OF THE PLANTINGS AND BARRIERS SHOWN ON THE GDP/SE PLAT.

Commissioners Hart and Litzenberger seconded the motion which carried unanimously with Commissioner Sargeant having recused himself.

Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE A WAIVER OF THE TREE PRESERVATION TARGET REQUIREMENT, PURSUANT TO SECTION 12-0508 OF THE PUBLIC FACILITIES MANUAL, IN FAVOR OF THE PROPOSED PLANTINGS SHOWN ON THE GDP/SE PLAT

Commissioners Hart and Litzenberger seconded the motion which carried unanimously with Commissioner Sargeant having recused himself.

Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE A MODIFICATION OF THE PARKING REQUIREMENT IN A COMMERCIAL REVITALIZATION DISTRICT, PURSUANT TO PARAGRAPH 3A OF SECTION A7-209 OF THE ZONING ORDINANCE, TO ALLOW 18 SPACES WHERE 22 ARE REQUIRED.

Commissioners Hart and Litzenberger seconded the motion which carried unanimously with Commissioner Sargeant having recused himself.

Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE A WAIVER OF SECTION 7-0104 OF THE PUBLIC FACILITIES MANUAL, FOR THE SERVICE DRIVE REQUIREMENT ALONG COLUMBIA PIKE, IN FAVOR OF THE FRONTAGE IMPROVEMENTS SHOWN ON THE FDP/SE PLAT.

Commissioners Hart and Litzenberger seconded the motion which carried unanimously with Commissioner Sargeant having recused himself.

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CSPA 86-C-029-08 – DULLES VIEW PROPERTY B1, LLC
AND DULLES CORNER OFFICE II, LLC – Appl. to amend the
previously-approved Comprehensive Sign Plan associated with RZ
86-C-029 to permit sign modifications. Located at 2550 Wasser
Ter., Herndon, 20171, on approx. 8.84 ac. of land zoned PDC. Tax
Map 15-4 ((1)) 13E2 and 13E3. DRANESVILLE DISTRICT.
PUBLIC HEARING.

Commissioner Donahue asked that Chairman Murphy ascertain whether there were any speakers for this application. There being none, he asked that presentations by staff and the applicant be waived, and the public hearing closed. No objections were expressed; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Donahue for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner Donahue MOVED THAT THE PLANNING COMMISSION APPROVE CSPA 86-C-029-08, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JANUARY 3, 2013.

Commissioner Litzenberger seconded the motion which carried unanimously.

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CSP 2005-SP-019 – WPPI FAIRFAX II, LLC – Appl. under Sect. 12-210 of the Zoning Ordinance for approval of a Comprehensive Sign Plan associated with RZ 2005-SP-019. Located in the S.E. quadrant of the intersection of Ridge Top Rd. and Government Center Pkwy. on approx. 3.0 ac. of land zoned PRM. Tax Map 56-2 ((1)) 37F. BRADDOCK DISTRICT. PUBLIC HEARING.

Commissioner Hurley asked that Chairman Murphy ascertain whether there were any speakers for this application. There being none, she asked that presentations by staff and the applicant be waived, and the public hearing closed. No objections were expressed; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Hurley for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner Hurley MOVED THAT THE PLANNING COMMISSION APPROVE CSP 2005-SP-019, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JANUARY 2, 2013.

Commissioner Migliaccio seconded the motion which carried unanimously.

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SEA 94-P-040-02 – GANNETT COMPANY, INC. – Appl. under Sects. 9-104, 9-404, 9-607, and 9-620 of the Zoning Ordinance to amend SE 94-P-040 previously-approved for an increase in building height, radio, and television broadcasting facilities, microwave facilities, and satellite earth stations accessory to an office building, a helistop, and waiver of certain sign regulations to permit modifications to development conditions. Located at 7950 Jones Branch Dr., McLean, 22102, on approx. 16.74 ac. of land zoned C-3. Tax Map 29-2 ((15)) C1. PROVIDENCE DISTRICT. PUBLIC HEARING.

Lynne Strobel, Esquire, Walsh, Colucci, Lubeley, Emrich & Walsh, PC, reaffirmed the affidavit dated December 19, 2012. There were no disclosures by the Commissioners.

Mary Ann Tsai, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

At the request of Commissioner Flanagan, Kristen Abrahamson, ZED, DPZ, explained that the language in the fourth paragraph under “Recommendation” on page 12 of the staff report, which

indicated that approval of the subject application would not interfere with any covenants, was standard language prescribed by the County Attorney, and was intended to inform applicants that they were still subject to private agreements.

Ms. Strobel explained that the original Special Exception (SE 94-P-040) for the subject property included specific features that the applicant sought to incorporate into its building. However, she noted that the single user limitation and helistop language in Development Condition Numbers 4 and 11 respectively were no longer applicable and would be removed under the subject application. Ms. Strobel stated that the proposal would allow the applicant to sub-lease building space. She also noted that there would be no changes to the existing building, landscaping, or site features. In addition, she indicated that the subject application had been presented to the McLean Citizens Association (MCA), who recommended approval.

Responding to a question from Commissioner de la Fe, Ms. Strobel said that the applicant had decided to remove the helistop because it had not been significantly utilized since the building was occupied.

Answering questions from Commissioner Donahue, Ms. Strobel confirmed that the subject property was zoned C-3 and a helistop required SE approval. Kristen Abrahamson, ZED, DPZ, clarified that Development Condition Number 11 had authorized the helistop in SE 94-P-040, and not including it in the subject application would effectively remove it. Commissioner Donahue suggested additional language to the last paragraph on page 11 of the staff report to indicate that the helistop would be removed. There was a brief discussion among Ms. Strobel and Commissioners Donahue and Murphy regarding the applicant's original reason for requesting the helistop.

In response to questions from Commissioner Flanagan, Ms. Abrahamson stated that a helicopter could still land on the subject property during an emergency.

Replying to a question from Commissioner Hart, Ms. Strobel stated that the existing building would continue to operate as the corporate headquarters.

In reply to a question from Commissioner Hurley, Ms. Strobel clarified that the letter in Appendix 6 of the staff report referred to the Dulles Toll Road and not Interstate 495.

Replying to a question from Commissioner Sargeant, Ms. Strobel stated that Development Condition Number 13, relating to Transportation Demand Management (TDM), in the revised development conditions dated January 17, 2013, had not been included in the original SE application. (A copy of the conditions is in the date file.)

Commissioner Lawrence said that while he concurred with staff's determination that the absence of a statement about the helistop constituted no authorization for it, he did not object to including

a development condition that removed the helistop prior to the Board of Supervisors' public hearing on this application.

Answering questions from Commissioner Lawrence, Ms. Strobel confirmed that the TDM coordinator mentioned in Development Condition Number 13 would implement the TDM plan and ensure that the goals would be met for all tenants in the building. She also indicated that the applicant understood the importance of meeting the TDM goals in conjunction with those prescribed in the Tysons Plan.

There being no listed speakers, Chairman Murphy called for speakers from the audience and recited the rules for public testimony.

Mark Zetts, 6640 Kirby Court, Falls Church, representing the McLean Citizens Association (MCA), said MCA fully supported the application and the deletion of the helistop from the development conditions. He also expressed appreciation to the applicant for meeting with MCA members.

There being no more speakers for this application, Chairman Murphy noted that a rebuttal statement was not necessary.

Responding to a question from Commissioner Lawrence, Chairman Murphy confirmed that the MCA Resolution dated January 2, 2013, expressing support for the proposal, had been added to the record. (A copy of the resolution is in the date file.)

Commissioner Donahue read a position statement from the McLean Hamlet Community Association dated January 17, 2013, which expressed support for the proposal and the removal of the helistop. (A copy of the statement is in the date file.)

There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Lawrence for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE SEA 94-P-040-02, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JANUARY 17, 2013.

Commissioner de la Fe seconded the motion which carried unanimously.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE A MODIFICATION OF PARAGRAPH 1B OF SECTION 2-414 OF THE ZONING ORDINANCE, TO PERMIT EXISTING

STRUCTURES TO BE LOCATED 65 FEET FROM THE DULLES INTERNATIONAL
AIRPORT ACCESS HIGHWAY AND THE DULLES TOLL ROAD.

Commissioner de la Fe seconded the motion which carried unanimously.

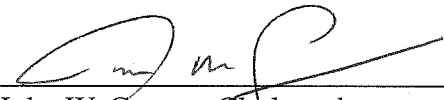
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The meeting was adjourned at 9:04 p.m.
Peter F. Murphy, Chairman
Janet R. Hall, Secretary

Audio and video recordings of this meeting are available at the Planning Commission Office,
12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Minutes by: Jacob Caporaletti

Approved on: December 4, 2013



John W. Cooper, Clerk to the
Fairfax County Planning Commission